

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
STIPULATED ELECTION AGREEMENT

Trinity Health Grand Haven Hospital

Case 07-RD-323100

The parties **AGREE AS FOLLOWS:**

1. PROCEDURAL MATTERS. The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn, that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations.

2. COMMERCE. The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

The Employer, Trinity Health Grand Haven Hospital, is a Michigan corporation engaged in the operation of an acute care hospital, with facilities and places of business located at 1309 Sheldon Road, Grand Haven, Michigan and 1445 Sheldon Road, Grand Haven, Michigan (Grand Haven facilities). During calendar year ending December 31, 2022, the Employer derived gross revenues in excess of \$250,000 and purchased and received at its Grand Haven facilities goods valued in excess of \$5,000 from points directly outside the State of Michigan.

3. LABOR ORGANIZATION. SEIU Healthcare Michigan is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

4. ELECTION.

**DATE: September 18 & 19,
2023**

**HOURS: 6:00 a.m. to 8:30 a.m. and 11:00
a.m. to 2:00 p.m. and 5:00 p.m. to
7:30 p.m.**

**PLACE: Multipurpose Room at the Employer's facility located at 1309
Sheldon Road, Grand Haven, Michigan**

The Regional Director has and retains full and complete discretion to determine whether it is unsafe, for any reason to conduct a manual election on the stipulated date. Further, if the Regional Director determines a manual election is unsafe, or if the election is postponed or cancelled for any other reason, the Regional Director has and retains sole and complete discretion to reschedule the date, time, location, and/or manner of the election, including converting the election to mail ballot election, as she deems appropriate.

5. UNIT AND ELIGIBLE VOTERS. There will be two voting groups in the election.

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VOTING GROUP - UNIT A (PROFESSIONAL UNIT):

All full-time and regular part-time Social Worker MSW, Medical Technologist ASCP II and Nuclear Medicine Technologist employed by the Employer; but excluding all guards and supervisors as defined in the Act.

VOTING GROUP - UNIT B (NON-PROFESSIONAL UNIT):

All full-time and regular part-time Ambassador, ARRT/CT Scan Technologist, HIM Analyst Coder, Biller, Cashier, Central Scheduler, PACS Administrator/Clinical Application Specialist, Certified Surgical Technologist, CT Scan Technologist, Clinical Documentation Specialist, Clinical Quality Assurance Liaison, Coder Assistant, Communications Specialist, Cook, CPD Lead Technician, CPD Technician, Custodian, Financial Counselor, Echocardiography Technician, EMT, Exercise Physiologist, Health Information Management Clerk, Histologist-Reg., Housekeeping Aide, Lab Assistant I-Phlebotomist, Lab Assistant II, Lead Housekeeper, Logging Clerk, LPNII, Mammography Technologist, Mammography Technologist II, M.I Technician Assistant, Materials Management Buyer, Materials Handler, Mechanic I, Mechanic II, Mechanic III-Electrician, Medical Imaging Pt. Reg. File Clerk, Medical Imaging Technical Assistant, Medical Technician ASCP I, Medical Assistant, Nurse Aide, Paramedic, Patient Accounts Specialist, Patient Registration Clerk, Patient Service Representative, Pharmacy Lead Technician, Pharmacy/Certified Technician, Pharmacy Assistants, Pre-Admission Review Specialist, Production Worker, RDMS/RVT, Registered Polysomnographer, Registered Respiratory Therapist, Supply Aide/Courier, Surgical Technologist, Surgical Services Scheduler, Systems Support Specialist, Technologist Reg ARRT, Technician NReg ARRT Tissue Technician, Transcriptionist, Ultrasound Technologist, Unit Clerk, Unit Technician and Unit Technician/Clerk employed by the Employer at its Grand Haven facilities; but excluding guards and supervisors as defined in the Act.

If a majority of the professional employees voting in Unit A vote "Yes" to the first question, indicating their desire to be included in a unit with non-professional employees, they will be so included, and their votes on the second question will be counted together with the votes of the non-professional employees in Unit B to decide the question concerning representation for the overall unit consisting of the employees in Units A and B. If on the other hand, a majority of the professional employees voting in Unit A do not vote "Yes" to the first question, their ballots will be counted separately to decide the question concerning representation in a separate Unit A.

Those eligible to vote in the election are employees in the above unit who were employed during the bi-weekly **payroll period ending August 26, 2023**, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off. In a mail ballot election, employees are eligible to vote if they are in the above unit on both the payroll period ending date and on the date they mail in their ballots to the Board's designated office.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls or by mail as described above in paragraph 4.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, and, in a mail ballot election, before they mail in their ballots to the Board's designated office, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

6. VOTER LIST. Within 2 business days after the Regional Director has approved this Agreement, the Employer must provide to the Regional Director and all of the other parties a voter list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available personal home and cellular telephone numbers) of all eligible voters. The Employer must also include, in a separate section of that list, the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge. The list must be filed in common, everyday electronic file formats that can be searched. Unless otherwise agreed to by the parties, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. The font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. When feasible, the list must be filed electronically with the Regional Director and served electronically on the parties. The Employer must file with the Regional Director a certificate of service of the list on all parties. The Employer shall provide separate lists for each voting group.

7. THE BALLOT. The Regional Director, in his or her discretion, will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of the need to have the Notice of Election and/or ballots translated.

Two questions shall appear on the ballot of the professional employees in Unit A:

1. Do you wish to be included with nonprofessional employees in a unit for the purposes of collective bargaining? The choices on the ballot will be **"Yes" or "No"**.
2. Do you wish to be represented for purposes of collective bargaining by **SEIU Healthcare Michigan**? The choices on the ballot will be **"Yes" or "No"**.

The question on the ballot for the employees in Unit B will be "Do you wish to be represented for purposes of collective-bargaining by **SEIU Healthcare Michigan**?" The choices on the ballot will be **"Yes" or "No"**.

8. NOTICE OF ELECTION. The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer must post copies of the Notice of Election in conspicuous places, including all places where notices to employees in the unit are customarily posted, at least three (3) full working days prior to 12:01 a.m. of the day the ballots are mailed to employees. The Employer must also distribute the Notice of Election electronically, if the Employer customarily communicates with employees in the unit electronically. Failure to post or distribute the Notice of Election as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

9. NOTICE OF ELECTION ONSITE REPRESENTATIVE. The following individual will serve as the Employer's designated Notice of Election onsite representative:

Shellee Yaklin, President
Trinity Health Grand Haven Hospital
1309 Sheldon Road
Grand Haven, MI 49417
syaklin@noch.org
616-847-5268

10. ACCOMMODATIONS REQUIRED. All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

11. OBSERVERS. Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling place to assist in the election, to challenge the eligibility of voters, and to verify the tally. Each party may designate an observer or observers to participate in the count, including challenging the eligibility of voters.

12. TALLY OF BALLOTS. Immediately upon conclusion of the last voting session, all ballots cast will be commingled and counted and a tally of ballots prepared and immediately made available to the parties.

13. POSTELECTION AND RUNOFF PROCEDURES. All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

14. MANUAL ELECTION PROTOCOLS.

a. Individuals should not participate in-person in a manual election (including other in-person meetings related to the election) if they have COVID-19, fever or chills, or if they have other new or unexplained symptoms consistent with COVID-19, such as: new or unexplained onset of cough, shortness of breath, or difficulty breathing; new or unexplained loss of taste or smell; or new or unexplained muscle aches.

b. If an individual who participated in a manual election develops symptoms or tests positive for COVID-19 within 10 days after the election or an in-person meeting related to the election, they must promptly notify the Board agent assigned to the case.

c. If the CDC or a state or a locality determines that a mask requirement is necessary in the location in which a manual election is to be held, all individuals must wear a well-fitting, high-quality face mask (N-95, KN-95, N-94, surgical mask, or similar). If masks are required, and the Region or Employer has an adequate supply of N-95 or equivalent masks available, they are strongly encouraged to offer them for use by all election participants. Individuals participating in manual elections in other locations may wear a mask at their choosing.

d. Individuals participating in manual elections are encouraged to maintain reasonable physical distance and avoid overcrowding.

e. Individuals will be encouraged to use hand sanitizer, where available.

Trinity Health Grand Haven Hospital

(Employer)

By: Is/ Brian D. Shelzell 8/30/23
(Signature) (Date)

Print
Name: Brian D. Shelzell

Jaime Quinn

(Petitioner)

By: Is/ Jaime Quinn
(Signature) (Date)

Print
Name: Jaime Quinn

SEIU Healthcare Michigan

(Union)

By: Is/ Anthony J. Kaled, GC 8/30/23
(Signature) (Date)

Print Name: Anthony J. Kaled

Recommended: Is/ Ethan N. Ray 8/31/2023
Ethan N. Ray, Compliance Officer (Date)

Date approved: August 31, 2023

Is/ Elizabeth Kerwin

Regional Director, Region 07
National Labor Relations Board